

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOSEPH TWAROG, et al., )  
                            )  
Plaintiff,              )  
                            )  
v.                         ) CIVIL ACTION NO. 2:05CV811-MHT  
                            )  
DONAL CAMPBELL,        )  
                            )  
Defendants.             )

**RECOMMENDATION OF THE MAGISTRATE JUDGE**

On 16 February 2006, the plaintiff, JOSEPH TWAROG [“Twarog”], filed a Motion to Dismiss himself as a plaintiff in this action (Doc. # 7). Because the plaintiffs, including Twarog, are represented by counsel, the court entered an order on 17 February 2006 which directed the other plaintiffs, through their counsel, to respond to Twarog’s motion and to show cause in writing why the motion should not be granted. In response, the other plaintiffs filed a motion on 3 March 2006 to dismiss Twarog (Doc. # 10).

It is clear that Twarog no longer wishes to be a plaintiff in this action and that the other plaintiffs have no objection to his dismissal. Accordingly, it is the RECOMMENDATION of the Magistrate Judge that Twarog be dismissed as a plaintiff in this action.

It is further

ORDERED that the parties shall file any objections to this Recommendation on or before 29 March 2006. A party must specifically identify the findings in the

Recommendation to which objection is made; frivolous, conclusive, or general objections will not be considered. Failure to file written objections to the Magistrate Judge's proposed findings and recommendations shall bar a party from a de novo determination by the District Court of issues covered in the Recommendation and shall bar the party from attacking on appeal factual findings accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5<sup>th</sup> Cir. 1982). See *Stein v. Reynolds Securities, Inc.*, 667 F.2d 33 (11<sup>th</sup> Cir. 1982). See also *Bonner v. City of Prichard*, 661 F.2d 1206 (11<sup>th</sup> Cir. 1981, *en banc*).

DONE this 15<sup>th</sup> day of March 2006.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE

